

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES,

-v-

CARLOS LOPEZ,

Defendant.

21 Civ. 2698 (PAE), S5 11 Cr. 1032

ORDER

PAUL A. ENGELMAYER, District Judge:

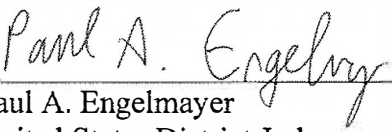
The Court has received a motion, Dkt. 12, from *pro se* plaintiff Carlos Lopez (“Lopez”) for a certificate of appealability for purposes of his appeal of the Court’s January 5, 2023 Opinion & Order, denying plaintiff’s motion pursuant to 28 U.S.C. § 2255, Dkt. 11 (the “Opinion”).

In the Opinion, the Court stated the following:

The Court declines to issue a certificate of appealability. Lopez has not made a substantial showing of a denial of a federal right, and appellate review is therefore not warranted. *See* 28 U.S.C. § 2253(c)(2); *Love v. McCray*, 413 F.3d 192, 195 (2d Cir. 2005). The Court also certifies that any appeal from this order would not be taken in good faith; therefore, in forma pauperis status is denied for purposes of an appeal. *Coppedge v. United States*, 369 U.S. 438, 445 (1962).

After due consideration of the record in this action, and for the reasons set forth in the January 5, 2023 Opinion, the Court denies plaintiff’s motion.

SO ORDERED.

  
Paul A. Engelmayer  
United States District Judge

Dated: June 26, 2023  
New York, New York